



Order Filed on June 19, 2019 by
Clerk U.S. Bankruptcy Court
District of New Jersey

1 UNITED STATES BANKRUPTCY COURT
2 DISTRICT OF NEW JERSEY

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In Re:
10 RODCLIFFES. NATHAN, DEBTOR(S)

Case No.: 18-25842 JKS

Adv. No.:

Hearing Date: N/A

Judge: JOHN K. SHERWOOD

15 ORDER AUTHORIZING LOAN
16 MODIFICATION AND FOR OTHER RELIEF

17 The relief set forth on the following pages, two (2) through four (4) is
18 hereby ORDERED:

22 DATED: June 19, 2019

23 Honorable John K. Sherwood
24 United States Bankruptcy Court

A handwritten signature in black ink, appearing to read "JK Sherwood".

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2 Debtor: Rodcliffe S. Nathan, Debtor(s)

3 Case no.: 18-25842 JKS

4 Caption of order: Order Authorizing Loan Modification and for
5 Other Relief

6

7 1. That the Debtor(s) be and are hereby authorized to enter
8 into and consummate a loan modification with Specialized Loan
9 Servicing, LLC ('Specialized'), pursuant to the terms and
10 conditions of the proposed loan modification agreement, entitled
11 Home Modification Agreement, filed as an Exhibit in support of
12 this motion relating, to real property located at 15151 Elaine
13 Terrace, Union, New Jersey 07083 and the loan modification be
14 and is hereby approved.

15 2. That the Debtor and/or Specialized, be and are
16 authorized to enter and consummate any transaction necessary and
17 incident to the loan modification relating to this property, the
18 sole exception being the transfer of the property or an interest
19 in the property by the Debtor(s) to someone else.

20 a. Limited automatic stay relief is granted, to allow
21 Specialized, to negotiate any such agreement with the Debtor(s)
22 or counsel, enter into and sign a loan modification agreement,
23 and record any documents with the appropriate county recorders
24 office without such action being considered a violation of the
25 automatic stay.

26 3. That the Debtor and/or Specialized, are authorized to
27 negotiate and prepare the terms or documents relating to a loan
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2 Debtor: Rodcliffe S. Nathan, Debtor(s)

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7 modification, or any necessary transaction incident to a loan
8 modification agreement, such as, but not limited to the
9 circumstances described above, with respect to this property and
10 any such negotiation and/or preparation of documents and/or
11 recording of documents, by the parties shall not be considered to
12 be a violation of the automatic stay and are specifically
13 authorized by the Bankruptcy Court.

14 4. That any communication by the parties relating to the
15 loan modification shall be considered to be negotiations,
16 pursuant to the Rules of Evidence, and shall not be used by
17 either party against the other in the context of any subsequent
18 litigation in this Court or any state court, federal court or
19 non-judicial forum.

20 5. That nothing in this order shall be construed as a
21 modification of the plan.

22 6. That the mortgage company and/or mortgage servicer may
23 not persuade the Debtor(s) to dismiss this case in order to
24 consummate a loan modification.

25 7. That because the mortgage is being modified and the pre-
26 petition arrears are being addressed in the new mortgage, the
27 pre-petition arrearage claim, filed by Specialized, or its
28 predecessors, assignees or successor in interest, as claim

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2 Debtor: Rodcliffe S. Nathan, Debtor(s)

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7 number two (2) on the claims register, shall not be paid and the
8 Trustee shall not make any payments/disbursements on this pre-
9 petition arrearage claim or any post-petition arrearage added to
10 the plan, if applicable. If the modification is not
11 consummated for any reason, Specialized, may, during the
12 pendency of this case, re-list the matter for further hearing,
13 otherwise, this order shall be deemed final.

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Certificate of Notice Page 5 of 5
United States Bankruptcy Court
District of New Jersey

In re:
 Rodcliffe S Nathan
 Debtor

Case No. 18-25842-JKS
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
 Form ID: pdf903

Page 1 of 1
 Total Noticed: 1

Date Rcvd: Jun 19, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 21, 2019.

db +Rodcliffe S Nathan, 1515 Elaine Terrace, Union, NJ 07083-4703

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 21, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 19, 2019 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Banc of America Funding Corporation 2007-4, U.S. Bank National Association, as Trustee dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
 Herbert B. Raymond on behalf of Debtor Rodcliffe S Nathan herbertraymond@gmail.com, raymondmail@comcast.net;bankruptcyattorneys@comcast.net;herbertraymond@gmail.com;carbonell_c@hotmail.com;kdelyon.raymond@gmail.com;herbertraymond5967@yahoo.com;raymondlaw5622@gmail.com;courtemail789@gmail.com
 Marie-Ann Greenberg magecf@magrtrustee.com
 Rebecca Ann Solarz on behalf of Creditor Banc of America Funding Corporation 2007-4, U.S. Bank National Association, as Trustee rsolarz@kmllawgroup.com
 U.S. Trustee USTPRRegion03.NE.ECF@usdoj.gov

TOTAL: 5